

HB 792 -- Mandatory Influenza Vaccinations

Sponsor: Schupp

This bill requires all employees and volunteers of any inspected facility, including a health services facility, medical treatment facility, nursing facility, rehabilitation facility, and preventative care facility, to receive a yearly influenza vaccination. The vaccination must be administered within the three months before flu season as determined by the Centers for Disease Control and Prevention. Proof of vaccination must be provided to the facility by the employee or volunteer.

The bill permits an exemption from the vaccination requirement for medical contraindications, religious beliefs, or in the event of a vaccine shortage. An employee or volunteer who requests an exemption due to medical contraindications must provide proof, such as a letter from a physician or medical records. An employee or volunteer who requests an exemption due to religious beliefs must provide a written and signed request stating the reason for the exemption. If an employee or volunteer is unable to receive a vaccination as a result of a vaccination shortage, he or she must provide written documentation stating his or her failure to obtain the vaccination due to a shortage. The facility must keep all documentation of vaccinations or exemptions in the personnel files of each employee and volunteer.

A facility will be considered out of compliance if, upon inspection by the Department of Health and Senior Services, less than 95% of the inspected personnel files contain proof of a vaccination or an exemption. A facility that is out of compliance must be reinspected at an undisclosed time within three months of the initial inspection, and if upon reinspection the facility remains out of compliance, the facility will be charged a fine of \$50 per full-time employee of the facility.

The provisions of the bill will expire six years after the effective date.